

AMENDED IN ASSEMBLY MAY 15, 2014

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1876

Introduced by Assembly Member Quirk

February 19, 2014

An act to add Chapter 3.2 (commencing with Section 22120) to Part 3 of Division 2 of the Public Contract Code, relating to detention facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1876, as amended, Quirk. Jails and juvenile facilities: telephone service contracts.

Existing law imposes specified procedural and substantive content requirements on contracts entered into by local agencies, including cities and counties.

This bill would require any contract to provide telephone services to any person detained or sentenced to a jail or juvenile facility to be negotiated and awarded to an entity that meets the jail or juvenile facility's ~~technical and functional~~ *technical, functional, and security* requirements for services, and that provides the lowest cost of service to any person who pays for the telephone service. The bill would additionally prohibit any contract to provide telephone services to any person detained or sentenced to a jail or juvenile facility from including any commission or other payment, *as defined*, to the entity operating the jail or juvenile facility.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 3.2 (commencing with Section 22120) is added to Part 3 of Division 2 of the Public Contract Code, to read:

CHAPTER 3.2. CONTRACTS FOR TELEPHONE SERVICES IN JAILS
AND JUVENILE FACILITIES

22120. (a) Any contract to provide telephone services to any person detained or sentenced to a jail or juvenile facility shall be negotiated and awarded to an entity that meets the jail or juvenile facility's ~~technical and functional~~ *technical, functional, and security* requirements for services, and that provides the lowest cost of service to any person who pays for the telephone service. *A county may require a telephone service provider to cover all costs related to the installation and maintenance of the telephone devices and services.*

(b) A contract to provide telephone services to any person detained or sentenced to a jail or juvenile facility shall not include any commission or other payment to the entity operating the jail or juvenile facility.

(c) For purposes of this section, the following terms have the following meanings:

(1) "Jail" means a county jail, a municipal jail, or a privately operated jail.

(2) "Juvenile facility" means any juvenile hall, camp, ranch, or other facility where a person is detained as a result of a petition pursuant to Section 601 or 602 of the Welfare and Institutions Code.

(3) "*Commission or other payment*" means any payments made to incentivize procurement of contracts, but does not include grants and other payments that do not increase the cost of telephone calls billed to consumers.